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May 1, 2025 **MEMORANDUM ENDORSED**

Sarah Krissoff

Direct Phone 212-908-1388
skrissoff@cozen.com

VIA ECF

The Honorable Gregory H. Woods
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007-1312

Re: Federal Trade Commission v. Voyager Digital, LLC, No. 23-cv-8960 (GHW)

Dear Judge Woods:

We are writing to update the Court on the status of the settlement discussions between the parties. As we discussed during our last conference on April 17, 2025, the parties have been working diligently towards a resolution. We have made significant progress since April 17; there are only a few open items remaining, stemming largely from the intersection between this matter and the case brought by the CFTC against Mr. Ehrlich currently pending before Judge Kaplan. In that parallel proceeding, the CFTC and Mr. Ehrlich have reached a settlement in principle, and Judge Kaplan has stayed discovery for 90 days to give the parties time to formalize that settlement.

Accordingly, on behalf of Mr. and Mrs. Ehrlich, and with the consent of the Federal Trade Commission, we are respectfully requesting the adjournment of tomorrow's 10 a.m. telephone conference, for approximately a week, to allow for the continuation of the settlement discussions in this matter. We recognize and appreciate the work that the Court has already put in to assess each party's positions on summary judgment, and we apologize for the timing of this request—until just a few hours ago, the parties had differing views on whether or not to proceed with tomorrow's conference. The FTC has now agreed to a short adjournment, and we, in turn, are now making that request of the Court. We remain optimistic that the case can be resolved without proceeding to summary judgment, and do not want to burden the Court with unnecessary proceedings or derail the current negotiations by engaging in substantive arguments regarding summary judgment.

Thank you for your courtesy and attention to this request.

Respectfully Submitted,

COZEN O'CONNOR

S. Krissoff

BY: SARAH KRISOFF

Application granted in part. The parties' request for an adjournment, Dkt. No. 115, is granted in part. The conference scheduled for May 2, 2025 is adjourned to May 30, 2025 at 4:00 p.m. A trial is scheduled to begin before the Court on May 5, 2025, and the trial is expected to last at least three weeks. Accordingly, an adjournment of one week is not possible. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 115.

SO ORDERED.

Dated: May 2, 2025
New York, New York

Gregory H. Woods
GREGORY H. WOODS
United States District Judge